

Public Document Pack



Chairman and Members of the
Council

Your contact: Martin Ibrahim
Ext: 2173
Date: 18 October 2017

cc. All other recipients of the Council
agenda

Dear Councillor

COUNCIL - 18 OCTOBER 2017: SUPPLEMENTARY AGENDA NO.1

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

5. Public Questions (Pages 3 - 4)
8. Executive Report - 16 October 2017 (Pages 5 - 16)

To receive a report from the Leader of the Council and to consider recommendations on the matter below:

- (A) Bishop's Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley, 2016-2032
- (B) Quarterly Corporate Healthcheck (April - June 2017)
- (C) Open Spaces and Sports Facilities Assessment Technical Study (September 2017)
- (D) Draft Affordable Housing Supplementary Planning Document (SPD)

(E) Agreement for the Principle of Using the Council's Compulsory Purchase Powers in Respect of Land Required to Support Development of the Gilston Area

(F) Harlow and Gilston Garden Town Update

(G) Local Development Scheme (LDS) September 2017

(H) East Herts Approach to Masterplanning

14. Chargeable Green Waste Services (Pages 17 - 40)

To consider a report of the Executive Member for Environment and the Public Space.

Yours faithfully

Martin Ibrahim
Democratic Services Team Leader
Democratic Services
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MEETING : COUNCIL
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 18 OCTOBER 2017
TIME : 7.00 PM

COUNCIL – 18 OCTOBER 2017

PUBLIC QUESTION

Question 1

Patrick Milne, on behalf of Ware Swimming Club, to ask the Executive Member for Health and Wellbeing:

Given the Executive Member's report before Council tonight states that the Council remains open to meeting lead petitioners, will the Council commit to deferring any final decisions on future funding until such meetings with all stakeholders have taken place, in advance of which full details of who is paying what at the moment, what income is being generated and what capital investment is thought to be necessary, will be provided?

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MINUTES OF A MEETING OF THE
EXECUTIVE HELD IN THE COUNCIL
CHAMBER, WALLFIELDS, HERTFORD ON
MONDAY 16 OCTOBER 2017, AT 7.00 PM

PRESENT: Councillor L Haysey (Chairman/Leader)
Councillors E Buckmaster, G Jones,
G McAndrew, S Rutland-Barsby and
G Williamson.

ALSO PRESENT:

Councillors M Allen, P Ballam, S Bull,
M Casey, M Freeman, Mrs D Hollebon,
J Kaye, M McMullen, T Page, M Pope,
P Ruffles, T Stowe, N Symonds and J Wyllie.

OFFICERS IN ATTENDANCE:

David Allen	-	Waste Services Manager
Isabel Brittain	-	Head of Strategic Finance and Property
James Byrne	-	Finance Business Partner
Martin Ibrahim	-	Democratic Services Team Leader
Tamara Jarvis	-	Improvement and Insight Manager
Jess Khanom	-	Head of Operations
Andrew Pulham	-	Parking Manager
Helen Standen	-	Director
Alison Stuart	-	Head of Legal and Democratic Services
Liz Watts	-	Chief Executive

ALSO IN ATTENDANCE:

North Herts Councillors J Cunningham, K
Henry, T Hunter, D Levett, B Lovewell, Mrs L
Needham, R Shakespeare-Smith and M
Weeks.

North Herts Council Officers – Ian Couper, Hilary Dineen, Chloe Hipwood, Sarah Kingsley, Gavin Ramtohal, Anthony Roche, David Scholes and Vaughan Watson.

190 BISHOP’S STORTFORD NEIGHBOURHOOD PLAN FOR ALL SAINTS, CENTRAL, SOUTH AND PART OF THORLEY, 2016-2032

The Leader of the Council submitted a report seeking approval to adopt the Bishop’s Stortford Neighbourhood Plan for All Saints, Central, South and part of Thorley wards, following the Referendum of 7 September 2017. The Executive noted the outcome of the Referendum with an overall ‘yes’ vote of 2,512 against 680 who had voted ‘no’. Under the Planning and Compulsory Purchase Act 2004 (as amended by the Neighbourhood Planning Act 2017), the Council was now able to make the Neighbourhood Plan as more than half of those voting in the Referendum had voted in favour of the Plan being used to determine planning applications in the area.

The Executive supported the recommendation now detailed.

RECOMMENDED – that the Bishop’s Stortford Neighbourhood Plan for All Saints, Central, South and Part of Thorley wards, as detailed at Essential Reference Paper ‘B’ to the report submitted, be formally ‘made’ and used as part of the Development Plan.

191 QUARTERLY CORPORATE HEALTHCHECK (APRIL - JUNE 2017)

The Executive considered a quarterly report on finance and performance monitoring for East Herts Council for 2017/18. The Executive Member for Finance and Support Services

The Executive supported the recommendation relating to taxi licencing charges and approved the remaining proposals now detailed.

RECOMMENDED – that (A) the schedule of taxi licencing charges presented in section 2.10 of the report submitted be approved;

RESOLVED - that (B) the projected revenue budget forecast overspend of £90k in 2017/18 be noted;

(C) a transfer of £500k from transformation reserve to set up a Housing Benefit Subsidy equalisation reserve, be agreed;

(D) the capital budget forecast underspend of £318k be noted; and

(E) the reported performance for the period April 2017 to June 2017 be noted.

**192 OPEN SPACES AND SPORTS FACILITIES ASSESSMENT
TECHNICAL STUDY (SEPTEMBER 2017)**

RECOMMENDED – that (A) Parts 1 to 3 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), be approved as part of the evidence base to inform and support the East Herts District Plan;

(B) Parts 1 to 3 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), be approved to inform Development Management decisions;

(C) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree Part 4 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), as part of the evidence base to inform and support the East Herts District Plan;

and

(D) the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree Part 4 of the Open Spaces and Sports Facilities Assessment Technical Study (September 2017), to inform Development Management decisions.

(see also Minute 205)

193 DRAFT AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT (SPD)

RECOMMENDED – that a new draft Affordable Housing Supplementary Planning Document (SPD) be produced, with the content to be agreed in due course prior to public consultation.

(see also Minute 205)

194 AGREEMENT FOR THE PRINCIPLE OF USING THE COUNCIL'S COMPULSORY PURCHASE POWERS IN RESPECT OF LAND REQUIRED TO SUPPORT DEVELOPMENT OF THE GILSTON AREA

RECOMMENDED – that it is agreed in principle that the use of the Council's Compulsory Purchase Order powers under Section 226 of the Town and Country Planning Act 1990 in respect of the land identified in the report submitted be authorised, subject to a further report seeking authorisation to commence the process dealing with the detailed procedural and legal requirements and relevant considerations.

(see also Minute 205)

195 HARLOW AND GILSTON GARDEN TOWN UPDATE

RECOMMENDED – that the ongoing work in

relation to the Harlow and Gilston Garden Town be noted.

(see also Minute 205)

196 LOCAL DEVELOPMENT SCHEME (LDS) SEPTEMBER 2017

RECOMMENDED – that the Local Development Scheme (LDS) September 2017, attached at Essential Reference Paper ‘B’ of the report submitted, be agreed to take effect from September 2017.

(see also Minute 205)

197 EAST HERTS APPROACH TO MASTERPLANNING

In response to a Member’s comments and questions on the strength of masterplans and any impact on the integrity of Development Management Committee, the Leader referred to the importance of a collaborative approach on larger developments and the important role that Development Management Committee would continue to perform. She reminded Members that the overall master planning approach had been agreed in March 2017 and this report sought to add more detail on the process.

RECOMMENDED – that the approach to master planning set out in the report submitted, be endorsed as the approach to be followed in relation to the development of significant development sites in East Herts.

(see also Minute 205)

198 LEADER'S ANNOUNCEMENTS

The Leader welcomed everyone to the meeting and reminded all present that this meeting was being webcast. She

extended a special welcome to Members of North Herts Council's Cabinet as well as North Herts Officers, who were invited guests for the matter referred to at Minute 200 - Waste, Recycling and Street Cleansing Contract Award.

The Leader clarified that the Executive meeting would be held simultaneously to a meeting of the North Herts Cabinet. The two meetings would run simultaneously before separating into different rooms for each Council to make its own decision.

199 MINUTES

RESOLVED – that the Minutes of the Executive meeting held on 5 September 2017, be approved as a correct record and signed by the Leader.

200 WASTE, RECYCLING AND STREET CLEANSING CONTRACT AWARD

The Executive recalled that in July 2016, it had agreed to seek to procure a shared waste, recycling and street cleansing service with North Herts District Council. The Executive Member for Environment and the Public Space submitted a report detailing the procurement process and the outcome of the tendering.

It was noted that the procurement process had sought a new waste and street cleansing contract (Lot 1) and recycling contract (Lot 2) on behalf of both Councils to start in May 2018 for 7 years with the option to extend for a further 7 years. The new contract would provide combined services for North Herts and East Herts as both Councils looked to achieve economies of scale and efficiencies through joint working.

The Executive Member proposed the acceptance of the most economically advantageous tender (MEAT) for the Lot 1 contract waste collection and street cleansing. He also sought decisions and recommendations on various options for the contract.

The Executive noted that the tender period for Lot 2 had been extended and was asked to delegate authority for the award of this contract, on the basis that this would be awarded to the most economically advantageous tender (MEAT).

The Executive Member thanked Officers in both Councils for their efforts throughout the project. He also corrected paragraph 1.1 of the report which should have quoted Minute 157 of the Executive on 19 July 2016. The Executive Member referred to the consideration given by the Overview and Scrutiny Committee to the option of a weekly food collection service separated from the chargeable green waste service and the subsequent advice of Officers. In the part of the meeting where the press and public had been excluded, the Executive Member also corrected some of the figures set out in Essential Reference Papers 'C' and 'D' of the report submitted.

Officers also gave a presentation in support of the report submitted and answered Members' questions.

The Executive considered the option of introducing a chargeable green waste service and whether to make a recommendation to Council for decision. The Executive Member for Health and Wellbeing proposed, and Councillor S Rutland-Barsby seconded, a proposal to recommend to Council the introduction of a chargeable green waste service alongside a weekly food collection service at £40 per year.

The Executive Member for Economic Development opposed this on the basis that this was already funded by the council tax and had been rejected in the public consultation. Other Members also spoke against this proposal citing concerns over affordability for some households, increased fly-tipping, more landfill and increased vehicle movements. Some Members supported the introduction of the charge on the basis of the challenging times ahead for the Council and the need to fill the Council's funding gap.

At 7.57pm, during consideration of this report, the Executive resolved to exclude the press and public under Section

100(A)(4) of the Local Government Act 1972, on the grounds that part of the report contained exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act. However, Members and Officers of North Herts Council were allowed to remain in the chamber.

At 8.08pm, the meeting was adjourned and Members of North Herts Council and North Herts Officers left the chamber.

At 8.13pm, the meeting reconvened.

At 8.17pm, the Executive agreed that the meeting should return to a public meeting and the press and public were readmitted to the chamber.

The Executive approved the proposals now detailed.

RESOLVED - that (A) approval be provided to award the Waste Collection and Street Cleansing (Lot 1) Contract based on the Most Economically Advantageous Tender;

(B) subject to recommendation (A), it be agreed that North Herts District Council are authorised to issue notification of intention to award and subsequently award the Lot 1 contract to the bidder upon conclusion of the standstill period on behalf of East Herts Council;

(C) options for the contract and recommendations as described in paragraphs 4.1 and 4.2 of the report submitted, be approved;

(D) the Executive note that the request to fund vehicles previously agreed in principle by Council through capital funding is no longer required;

(E) the option to introduce a chargeable green waste service alongside a weekly food collection service at £40 per year be recommended to Council for a decision;

(F) delegated authority be given to the Chief Executive in consultation with the Executive Member for Environment and Public Space to accept the MEAT for Lot 2;

(G) subject to recommendation (F), it be agreed that North Herts District Council is authorised to issue notification of intention to award and subsequently award the Lot 2 contract to the bidder upon conclusion of the standstill period on behalf of East Herts Council; and

(H) in principle, a change in the way that materials are collected, from separated paper to separated glass, be approved if this provides material financial savings.

201 PRIORITIES FOR PARKING ENFORCEMENT

The Executive Member for Economic Development submitted a report reviewing the Council's parking enforcement priorities. It was noted that East Herts Council's parking enforcement contract was being re-tendered and the new contract would commence on 16 January 2019, for five years with the possibility of a maximum two year extension.

The preparation of this new contract had provided an opportunity to review parking enforcement priorities to ensure they remained fit for purpose. A Member Task and Finish Group had been established in May 2017 to assist with this review. Its findings were reported to the Overview and Scrutiny Committee on 12 September 2017, where its recommendations were agreed in full. These recommendations were set out in paragraph 3.1 of the report submitted.

The Executive Member thanked Officers and the Task and Finish Group.

The Executive approved the proposals as now detailed.

RESOLVED - that in respect of parking enforcement

priorities when the new contract commences in January 2019, the key recommendations of the Overview and Scrutiny Committee, as detailed at paragraph 3.1 of the report submitted, be adopted.

202 HERTFORDSHIRE 100% BUSINESS RATES RETENTION PILOT 2018-19

The Executive Member for Finance and Support Services submitted a report on the Department for Communities and Local Government's invitation for Authorities to bid to become 100% Business Rates retention pilots. The bid needed to come from all the Authorities within Hertfordshire. Indications were that there could be gains for Hertfordshire of £6-8 million. Further work would be carried out to confirm the level of benefits and the Executive Member sought delegated authority to decide on whether to proceed with a bid once this further work had been undertaken.

In response to Members' questions, the Head of Strategic Finance and Property Services commented that the pilot was for one year only and that no Council would be worse off financially. She stated that if the bid was successful, updates would be provided within the corporate healthcheck.

The Executive approved the recommendation now detailed.

RESOLVED - that the Executive Member for Finance and Support Services be given delegated authority to decide whether East Herts Council should be part of the application for a Business Rates pilot.

203 GENERAL FUND REVENUE AND CAPITAL OUTTURN 2016/17

The Executive Member for Finance and Support Services submitted a report advising on the General Fund Revenue Outturn for 2016/17 and providing explanations for significant variances against the approved Budget. He also advised on the financing arrangements for the 2016/17 Capital Outturn and the updated 2017/18 Capital budget allowing for the

approved slippage from 2016/17. The Executive Member also detailed the annual position against the Council's performance indicators.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) the General Fund revenue outturn of £166k overspend funded from the General Reserve, be agreed ;

(B) the Capital budgets of £1,899k re-profiled from the 2016/17 capital programme to 2017/18 programme to fund ongoing capital schemes, be agreed;

(C) the Capital Programme for 2017/18 to 2020/21 as set out in paragraph 4.5 be agreed; and

(D) the Annual Performance results be noted.

204 RISK MANAGEMENT MONITORING (APRIL - JUNE 2017)

The Executive Member for Finance and Support Services submitted a report updating the Executive on action taken to mitigate and control strategic risks in the period April to June 2017.

The Executive approved the recommendation now detailed.

RESOLVED - that the risk management controls implemented be approved.

205 DISTRICT PLANNING EXECUTIVE PANEL: MINUTES - 21 SEPTEMBER 2017

RESOLVED – that the Minutes of the District Planning Executive Panel meeting held on 21 September 2017, be received.

(see also Minutes 192 – 197)

206 EXCLUSION OF PRESS AND PUBLIC

RESOLVED – that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the discussion of Minutes 200 (part) and 207 on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the said Act.

207 DEVELOPMENT OF MAIDENHEAD STREET, HERTFORD

The Executive Member for Finance and Support Services submitted a report on the development of Maidenhead Street, Hertford and a potential opportunity to purchase a property that would assist the existing plans to pedestrianise the Street, as part of the Hertford Urban Design Study.

The Executive approved the proposals as now detailed.

RESOLVED - that (A) in principle, support is granted for the purchase of the property identified in the report submitted; and

(B) authority is delegated to the Head of Finance and Property, acting in consultation with the Leader of the Council and the Executive Member for Finance and Support Services, to negotiate the terms of the purchase in line with an independent valuation, with approval of the final negotiated purchase price and terms, if forthcoming, to be sought from full Council in due course.

The meeting closed at 9.20 pm

Chairman

Date

EAST HERTS COUNCIL

COUNCIL - 18 OCTOBER 2017

REPORT BY EXECUTIVE MEMBER FOR ENVIRONMENT AND
PUBLIC SPACE

WASTE CONTRACT OPTION: INTRODUCTION OF A CHARGEABLE
GREEN WASTE SERVICE ALONGSIDE A SEPARATE WEEKLY FOOD
WASTE COLLECTION SERVICE

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To consider the option of introducing a chargeable green waste service alongside a separate weekly food collection service.

<u>RECOMMENDATIONS FOR COUNCIL:</u> That:	
(A)	approval is provided for the introduction of a chargeable green waste service alongside a weekly food collection service;
(B)	subject to recommendation (A), the charge for the chargeable green waste service is £40; and
(C)	subject to recommendation (A), £125,000 of funding is approved for the provision of food waste caddys for the introduction of a separate weekly food collections service.

1.0 Background

1.1 In February 2016 the Environment Scrutiny Committee agreed to set up a Task and Finish Group to review the Council's Waste and Street Cleansing service with the objective of informing the design of the next Waste and Street Cleansing contract, due to commence in May 2018.

1.2 Having considered a number of issues, the Task and Finish Group concluded that providing a chargeable green waste service

option alongside a weekly food collection service should not be recommended for approval. The Executive then approved this recommendation in July 2016. At this meeting it was also agreed that the Council would progress with developing a joint waste, recycling and street cleansing contract with North Herts District Council.

1.3 The key discussion points recorded in the Task and Finish group report included:

1.3.1 That the Waste Task and Finish group recognised that a key challenge for local authorities in reducing the amount of waste going to landfill is the amount of food waste in the refuse bin and the negative impact this has on the environment. A number of local authorities in the UK have introduced separate weekly food waste collections, seeking to reduce environmental impacts and the high cost of sending waste to landfill. In 2016, it was estimated that a weekly food collection service would result in increased operating costs in the region of £375k.

1.3.2 This increased cost of service in some local authorities has been met by charging for the green waste collection service. The cost of introducing a chargeable green waste collection service in terms of advertising, back office costs were also considered.

1.3.3 The group acknowledged that the savings from such a scheme would potentially come from the reduced collections of garden waste collections on the basis that not all residents would take up the service and that a suspended service or reduced service may take place in the winter months, resulting in a reduced number of vehicles and crews needed to operate the service.

1.3.4 In 2016, the estimated savings to the Council would be in the region of £107,000.

1.3.5 In addition it was recognised that separate processing arrangements could also result in a saving to the County Council. However, both parties are tied into a contract with the reprocessing facility until 2025. This contract includes a 'guaranteed minimum tonnage' to protect the reprocessor from a fall in income which is necessary to sustain their capital investment. A chargeable garden waste service

would potentially result in less material being delivered but at a higher cost and this would be passed on to the Council, potentially wiping out or exceeding savings in the collection service.

1.3.6 The Task and Finish Group recommended that this option was not incorporated into the next contract but is reviewed in 2023 in preparation for the following contract.

1.4 During the process of developing the tender documentation, new information came to light, which merits further consideration of the option for a chargeable green waste service:

1.4.1 Three Districts within the County have introduced a chargeable green waste service. All have reported higher than predicted take up in the service.

1.4.2 Both East Herts and North Herts are projected to exceed the 'guaranteed minimum tonnage' for organic waste by 11,000 tonnes (combined) in 2017/18.

1.4.3 The financial pressures on the council continue to be significant. From April 2018 the council will receive no government grant (known as Revenue Support Grant) and will rely on council tax, New Homes Bonus, and a proportion of business rates collected locally to fund its budget.

1.4.4 The Council has a savings target of £1.1m across the life of the Medium Term Financial Plan (2017/18 – 2020/21); there are still uncertainties over how the funding gap will be filled.

1.4.5 The Council has aspirations to sustain and improve services to residents, and this will be challenging with reducing revenue budgets.

1.4.6 Further analysis of the potential net income from charging for green waste shows a significantly better position than was considered by the Environment Scrutiny Committee in February 2016.

1.5 Public consultation on the service options for the waste contract including textiles collections from households and introducing a 'fully-comingled' recycling service (i.e. all dry recyclable material in

one bin) was due to take place in July 2017. The opportunity arose through this consultation to gauge views of our residents on whether they would consider paying for the collection of their green waste if the Council considered removing it in order to contribute to the gap in the medium term financial plan. Councils are not obligated to collect green waste and some authorities do not provide this service as a means of savings. The consultation was a joint survey with North Herts DC.

- 1.6 The Waste Task and Finish Group reconvened on Tuesday 29th August 2017 for an update on the contract options and to revisit the option of introducing a weekly food collection service alongside a chargeable green waste service. Members in attendance included:

Cllr Freeman (Chairman)
Cllr J Jones
Cllr Wyllie
Cllr Pope

- 1.7 The Task and Finish Group were presented with the findings from the public consultation as of mid-August. In relation to a chargeable green waste service residents were asked. These findings have been updated following the closure of the consultation.

- 1.8 The Waste Task and Finish Group concluded that a recommendation on the introduction of a weekly food collection service alongside a chargeable green waste service could not be made based on the information provided. The consideration for this option was referred to the Overview and Scrutiny Committee.

2.0 Report

- 2.1 The Overview and Scrutiny Committee met in September 2017 to consider the option of a chargeable green waste service alongside the introduction of a separate weekly food collection service.

- 2.2 The Committee debated the topic and recommended more detail was provided to the Executive to help inform the recommendation to Council and that weekly food collection was considered separately and the option simplified. To support this, a table has been provided to simplify the current and future option in **Essential Reference Paper B**.

- 2.3 The scope of the procurement did not include a collection arrangement for food waste to go into the residual/black bin, the option was for a separate weekly food collection service. Therefore, it would be a material change to our requirements to allow the bidders to price for garden waste without a weekly food waste collection. It would be high risk to now vary the scope of the procurement documents to allow for a different collection arrangement for garden waste. The decision must therefore focus on a whether introducing a chargeable green waste service alongside a weekly food collection service is an option for Council to approve or not.
- 2.4 The collection of household food waste is a statutory requirement, whilst the collection of garden waste is a discretionary service that the Council does not need to provide. Food waste would not be acceptable in chargeable garden waste bins as this could be perceived as charging for food waste collection – UK law does not permit Councils to charge for the collection of food waste.
- 2.5 It is more expensive to divert waste (including food waste) to landfill as this is unfavourable environmentally. The option not to provide separate weekly food collections is highly likely to create more waste to landfill and therefore incur costs to the County. A weekly food collection service alongside a chargeable green waste service was therefore the option requested during procurement.
- 2.6 On the 16th October 2017, the Executive awarded the waste collection and street cleansing contract to the successful bidder. Members also considered various options. One of the options and recommendations agreed was to recommend to Council the option for a chargeable green waste service alongside the introduction of a weekly food waste collection service and refer the decision to Council.
- 2.7 There would be an up-front cost to acquire the food waste containers, which are estimated to be £2.50 per unit. This would equate to around £125k. This would require approval by Full Council for inclusion within the capital programme. There would also be revenue costs associated with container delivery (for the food waste containers) and the likely need for the collection of for the mixed organic bins (brown bins) from those not taking up the garden waste service costs.

- 2.8 The feedback from the public consultation in relation to this was that 83% of East Herts residents who responded to the survey (2314 residents) disagreed or strongly disagreed with introducing a chargeable garden waste service alongside weekly food waste collections. Overall 25% of all residents who responded said they would be likely to use a paid for green waste service, which is the same percentage as those that responded to a similar survey in a 'nearest neighbour' authority who have implemented a similar service. The actual proportion of the residents in that authority that are now signed up is 74% of eligible properties.
- 2.9 When asked what they would be likely to pay for the green waste service, 35% of residents indicated they would be very or quite likely to pay up to £40 a year, with 13% saying they would be very or quite likely to pay £41-55, and 6% saying they would be very or quite likely to pay between £56-£70. Given the high drop off between £40 (35%) and £41-£55 (13%), a charge of £40 has been assumed in assessing the financial impact. A lot of Authorities that have introduced green waste charging have chosen to charge £35 in the current financial year (2017/18), although this will be subject to review as to what they charge next year. Some authorities charge £40 or more.
- 2.10 The table in **Essential Reference Paper C** demonstrates potential income and is based on 40% take-up of the garden waste service as this was used for the tender. The amounts are based on both Councils taking up the option. This was based on consultant advice that this was a prudent conservative level of take-up based on experience in other Authorities/
- 2.11 The option of a weekly food collection service alongside a chargeable green waste service in the tender documents is an 'independent' item meaning that each Authority does not require the other to select the same position on the introduction of the service. The driver for the joint waste and street cleansing service is savings and therefore optimal efficiency is achieved if both Authorities have the same position. However, efficiencies can be achieved with differing positions. Should one Authority agree to adopt the weekly food collection and chargeable green waste service and other did not it would be difficult and costly to introduce such a service during the 7 year contract period, should the other Authority later wish to make a decision post contract award. Contract negotiations to vary the contract would almost inevitably result in a cost to the service and the vehicles procured for the service at the beginning of the contract may not be fit for

purpose for future changes and therefore will result in further additional capital and/or revenue costs for new vehicles. Efficiencies anticipated from a joint client team would need to be reviewed to ensure sufficient capacity is available to manage two essentially different services. Any income from collection will solely benefit the Authority which achieves income levels from such a service over the 7year contract life.

2.12 Recycling credits are only received for dry recycling, so this change has no impact. It is currently anticipated that a proportion of the increased food waste collected would off-set some of the reduction in garden waste, and therefore there would be no little detrimental impact on the Alternative Finance Model (AFM). However this is dependent on higher take up more closely resembling the experience of neighbouring authorities, than the baseline 40% with take up needing to be in the region of 60-70%.

2.13 The table below details the expected ongoing revenue implications at various levels of take-up (with a £40 annual charge). The capital costs will be the same as at 40%. Up-front revenue costs will also reduce with increasing levels of take-up as the number of mixed organic bins to be collected will reduce.

	East Herts
26% take-up	(210)
30% take-up	(260)
40% take-up	(386)
50% take-up	(512)
60% take-up	(638)
70% take-up	(764)

2.14 During the public consultation 21% of residents indicated that they would be interested in having more than one chargeable garden waste bin.

2.15 Compostable waste tonnages are difficult to predict accurately due to fluctuations in the growing season. Data from the 'nearest neighbour' previously referenced, is that tonnages for compostable waste during the first year of service change did not show a significant drop in the amount collected once a chargeable garden waste came into effect. Although this would be affected by levels of take-up and this is now 74% of eligible properties in that Authority.

- 2.16 There is a perception of the risk of increased fly tipping as a result of the change however, data from the same 'nearest neighbour' in relation to fly tipping shows no noticeable increase following the introduction of a chargeable green waste service. Reports of fly tipping across the county from Oct 2016 – May 2017 have generally reduced every month (apart from March 2017). In at least two of the Authorities that have introduced a chargeable green waste service the recorded number of fly tips in those Authorities has reduced; although there is insufficient evidence to draw a correlation or conclusion between the introduction of a chargeable green waste service and its impact on fly tipping.
- 2.17 A number of residents responding to the public consultation indicated that they would utilise the Household Waste Recycling Centres for the disposal of garden waste and Hertfordshire County Council has been consulted on the introduction of green garden waste charging. As part of this they provided some information on the likely impact on Household Waste Recycling Centres (HWRC) from introducing green garden waste charging. This confirmed that they would expect an initial increase in HWRC visits following the introduction of green garden waste charging. However, anecdotal data suggests the general behaviour has been that residents have soon opted into the paid service over a weekly visit to the local recycling centre. As with fly tipping it is difficult to ascertain whether there is an evidence based relationship between the two. Both of these concerns raised will be monitored by the Council in partnership with the Herts Waste Partnership.
- 2.18 If introduced, the charge for garden waste collection should be treated in the same way as other fees and charges. This means that it will increase each year in line with the agreed Medium Term Financial Strategy (MTFS).
- 2.19 Work undertaken in 2016 by a neighbouring District to determine the proportion of Councils currently charging for garden waste revealed the following:-

Charging for Green Waste in England 201 District Councils, 36 Metropolitan Districts, 32 London Borough and 55 Unitary Authorities	Number of Councils	% of Councils
No	109	38%
Unknown	23	8%
Yes	156	54%
Grand Total	288	100%

- 2.20 Questionnaires were sent to Councils who currently charge for garden waste. 19 responses were received all of which indicated that they would still have made the decision to charge given the information they know now about the implementation of the service, all Councils indicated that the service was either cost neutral or producing a surplus to support the rest of the service expenditure.
- 2.21 The charge levied by the Councils which responded ranged from £24 to £96 for a 240L bin, with the average price from response being £47.42. If the two extremes of the range are excluded (range £30-£65) the average charge becomes £45.94.
- 2.22 Other concerns raised during the consultation period include:
- Affordability for all members of the community
 - Charging for an existing service
 - An additional bin to manage
 - Weekly food collections

Each of these concerns is considered in detail below.

Affordability for all members of the community

- 2.23 There have been some concerns over the affordability of the service for East Herts residents. As with other chargeable services a concession could be provided for those members of the community who wish to take up the service who are unable pay £40 a year for the service, in addition payment in instalments could be provided. Residents who do not wish to take up a chargeable green waste service will not be required to pay towards the weekly food collection service. An equalities impact assessment has been carried out for this option, this can be found in **Essential Reference Paper D**.

Charging for an existing service

- 2.24 As set out in the table about 54% of councils across England either already charge for green waste, or are committed to doing so in the next 12 months. Three of these are in Hertfordshire. A number of Authorities report that introducing the charge has taken place to raise funds after central government budget cuts to support operational costs of the waste collection service. In East Herts the waste collection and street cleansing service is the single biggest revenue cost to the Council. Introducing a

chargeable green waste collection service could support some of the funding pressure for this area. There is naturally some concern over the public perception of such a decision. Communicating the reasons for a potential change in service may mitigate some of these concerns, including the environmental benefits of a weekly food collection service and supporting the sustainability of a discretionary garden waste collection service.

An additional bin to manage

- 2.25 The introduction of a weekly food collection service would result in residents receiving an additional 23litre food waste caddy (bin) to ensure food waste is not placed into the black bins (and therefore taken to landfill.) To provide some context in terms of size, the inner paper boxes as part of the blue lidded bins are 45 litres. A table is provided in **Essential Reference Paper B** to simplify the advantages and disadvantages of a weekly food collection service. The table also provides images of the different scenarios.
- 2.26 Given that the additional food waste caddy will be a secure bin to leave outside (reducing pests), in theory residents will be able to manage their food waste in the same manner as they currently do, i.e. using the kitchen caddy to then dispose of its contents in an outside bin. Alternatively the food caddy could be placed in the kitchen and taken out weekly.

3.0 Conclusion

- 3.1 Based on the information provided, the Executive makes a recommendation to Council to introduce a chargeable green waste service alongside a weekly food collection service. The Executive also recommend that this charge is £40.
- 3.2 Should Council approve the introduction of a chargeable green waste service alongside a separate weekly food collection service, Council are asked to approve the investment of £125k for the purchase of food containers/caddys.

4.0 Implications/Consultations

- 4.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None

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ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives:	<p>Priority 1 – Improve the health and wellbeing of our communities Health and wellbeing will not be affected by the items in this report.</p> <p>Priority 2 – Enhance the quality of people's lives Quality of life will not be affected by the items in this report.</p> <p>Priority 3 – Enable a flourishing local economy Local economy will not be affected by the items in this report.</p>
Consultation:	<p>A public consultation has been carried out both online and via the acceptance of a completed paper submission for Green Waste Charging.</p>
Legal:	<p>The Council has a statutory duty to collect household waste under section 45 of the Environmental Protection Act 1990 and a further statutory duty to collection recyclable waste under section 45A of this Act.</p> <p>The power to charge for the collection of garden waste is embedded in the Environmental Protection Act 1990 Section 45 (3) and the Controlled Waste (England and Wales) Regulations 2012. These regulations revoked the Controlled Waste Regulations 1992 which also contained the power to charge for garden waste. This power is the same power used to charge for bulky waste collections.</p>
Financial:	<p>As highlighted in the Medium Term Financial Plan (MTFP) the Council needs to identify and deliver savings of at least £1.1 million by 2021/22. Some of these savings have been identified but not yet delivered. The option presented could contribute a good proportion of this.</p>
Human Resource:	<p>N/A</p>

Risk Management:	There is uncertainty over the reaction to the introduction of charging for green waste the communications plan will be key to delivering the message around this. Another risk to consider the level of take-up of the chargeable service.
Health and wellbeing – issues and impacts:	There are none for this report.

Essential Reference Paper B - Green Waste Collection Service Options

<p>Service</p>	<p>Current:</p>  <p>Fortnightly organic waste collection in brown bin (food and garden waste) and dry recycling (cans, glass etc) collection in blue lidded bin with paper box</p> <p>Fortnightly residual (black bin) bin collection (non-recyclables and food)</p> <p>Food is effectively collected every week</p>	<p>Proposed: Chargeable Green Waste alongside weekly food collection</p>  <p>Fortnightly garden waste collection for residents who opt to pay into the service (but no food in this bin)</p> <p>Fortnightly blue lidded bin collection and paper box</p> <p>Fortnightly black bin collection (not for food waste)</p> <p>Weekly food collection continues for residents regardless of paying for green waste</p>	<p>Not recommended: Chargeable Green waste without weekly food waste collections</p>  <p>Fortnightly garden waste collection for residents who opt to pay into the service (but no food in this bin)</p> <p>Fortnightly blue lidded bin collection and paper box</p> <p>Fortnightly black bin collection including food (all food goes into black bin, potentially resulting in more waste to landfill and bins reaching capacity)</p> <p>No weekly food collection</p>
<p>Cost to resident</p>	<p>£0</p>	<p>£40 per annum</p>	<p>£40 per annum</p>
<p>Annual Cost to Council</p>	<p>Over £800k for Organic collection</p>	<p>Income of approx. £385k per annum</p>	<p>Income increased by approx. £100k</p>
<p>End Destination</p>	<ul style="list-style-type: none"> • Brown bin – composted • Blue lidded - recycled • Black bin – landfill or energy from waste site 	<ul style="list-style-type: none"> • Brown bin – composted • Food caddy – composted • Blue lidded recycled • Black bin – landfill or energy from waste site 	<ul style="list-style-type: none"> • Brown bin – composted • Blue lidded recycled • Black bin including increased food waste – more waste to landfill or energy from waste site
<p>Bin collections</p>	<p>Alternate week for brown bin and blue lidded bin/paper box</p> <p>Alternate week for black bin</p>	<p>Alternate week for brown bin (if customer has chosen paid for service) and blue lidded bin/paper box + food caddy</p> <p>Alternate week for black bin + food caddy</p>	<p>Alternate week for brown bin (if customer has chosen paid for service) and blue lidded bin/paper box</p> <p>Alternate week for black bin</p>
<p>Advantages</p>	<ul style="list-style-type: none"> • No extra cost to resident • No change to current service 	<ul style="list-style-type: none"> • Safeguards a discretionary service from potential cuts by making it self-sustaining • Supports Council medium term financial plan • Diverts food waste from landfill therefore in line with waste hierarchy • Allows more food waste to be recycled/composted • Disposal Authority recommends separate food waste collections alongside a chargeable green waste service 	<ul style="list-style-type: none"> • Same number bins to manage if customer has chosen the paid for service).

Disadvantages	<ul style="list-style-type: none"> Discretionary Garden waste collection Service could be at risk of being removed for future savings 	<ul style="list-style-type: none"> Extra Cost to resident One more bin to manage 	<ul style="list-style-type: none"> Goes against the direction of travel for the Herts Waste partnership and the waste hierarchy as it will lead to more waste going to landfill Food waste will not be collected weekly but fortnightly – change to current practice Recycling rates will drop
Additional Comments		<p>Education and Comms strategy key and must ensure the reasons why the service is changing.</p> <p>IT crucial</p> <p>Opportunity to encourage residents with gardens to compost, which is the most effective way of dealing with this waste stream</p> <p>Consultation based on this option.</p>	<p>Food waste would not be acceptable in chargeable garden waste collection as this could be perceived as charging for food waste collection – UK law does not permit Council's to charge for food waste.</p> <p>It is more expensive to divert waste (including food waste) to landfill. This option is highly likely to create more waste for landfill.</p> <p>No consultation carried out for this option.</p>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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1 Identify the aims of the policy/service/function and how it is implemented.			
	Key questions	Answers / Notes	Actions required
1.1	Is this an existing or a new policy function?	New	To agree a change in service to charge for a green waste disposal service and introduce a weekly food waste service.
1.2	What is the aim, objective or purpose of the policy/service/function?	<ul style="list-style-type: none"> To make substantial savings whilst reducing waste sent to landfill. 	
1.3	What outcomes do you want to achieve with this policy and for whom?	To enable residents to help improve the environment through direct action from their home.	
1.4	Who is the policy/function being aimed at?	East Herts residents who present waste at the kerbside.	
1.5	Who defines or defined the policy/function?	Members in consultation with officers considering: <ul style="list-style-type: none"> Legislative changes from Central Government Partnership targets and policies 	
1.6	Who implements the policy/function?	<ul style="list-style-type: none"> Waste Services Team Environmental Inspection Team Contractors With support from Herts County Council 	
1.7	How do these outcomes meet or hinder other policies, values or objectives of the public authority	Substantial service costs will be reduced ensuring we safeguard the ability to delivery such a service whilst supporting the medium term financial plan.	
1.8	What factors or forces are at play that could	Consultation results.	

Essential Reference Paper D East Herts Council
 Equalities Impact Assessment : ENVIRONMENTAL SERVICE (Waste Services)

	contribute or detract from the outcomes identified earlier?	Tender price.	
1.9	Taking the six strands of equalities is there anything in the function that could discriminate or disadvantage any of these groups?	In performing the functions, the service will consider :- <ul style="list-style-type: none"> • AGE: Services provided across all age ranges • DISABILITY: compliance with DDA assisted collections service will continue • RACE: N/A • RELIGION: N/A • GENDER: N/A • SEXUAL ORIENTATION N/A 	No
1.10	From your perspective, how are the functions actually working in practice for each equalities group?	For each group we do not envisage any concerns. Affordability needs consideration for those on low income. A concession pricing scheme will help mitigate this. In addition, this is a service that people do not need to opt in for and could take green waste to the local household recycling centres.	
1.11	How does the local authority interface with other bodies in relation to the implementation of these functions?	Discussions with: <ul style="list-style-type: none"> • HWP • HoWG • Meetings with HCC 	
2	Consideration of available data, research and information		
	Key questions	Answers / Notes	Actions required

2.1	What do you already know about who users of the services?	This will be a service change for the residents of East Herts who present waste at the kerbside. This service change has been implemented in other districts, both inside the county as well as elsewhere. Currently we do not have exact figures on the number of people that use the organic collection service.	
2.2	What additional information is needed to ensure that all equality groups' needs are taken into account?	No additional information was provided in the public consultation however a well-planned communications strategy will be essential to executed this service.	
2.3	How are you going to go about getting the extra information that is required	Continue to discuss implementation with those Authorities who have delivered the service in this way.	
3	Formal consultation		
	Key questions	Answers / Notes	Actions required
3.1	Who do we need to consult with?	<ul style="list-style-type: none"> • Residents • Councillors 	Public consultation completed Overview and Scrutiny Committee consulted
3.2	What method/form of consultation can be used?	Survey and meetings	
4	Assessment of impact		
	Key questions	Answers / Notes	Actions required
4.1	Have you identified any differential impact and does this adversely affect any groups in the	As per 1.10 those on low or no income.	A concessions pricing scheme should be introduced.

	community?		
4.2	If there is an adverse impact can it be avoided, can we make changes, can we lessen it etc?	A concessions scheme.	None
4.3	If there is nothing you can do, can the reasons be fairly justified?		
5	Consideration of the effect of proposed changes on other groups.		
	Key questions	Answers / Notes	Actions required
5.1	Do any of the changes in relation to the adverse impact have a further adverse affect on any other group?	As per 1.10 those in no or low income.	Concession scheme to be introduced.
INTERNAL PROCESSES FOR THE ORGANISATION			
6	Making a decision in the light of data, alternatives and consultations		
	Key questions	Answers / Notes	Actions required
6.1	The organisations decision making process	Considered by Overview and Scrutiny and to be considered at Executive for a recommendation to Full Council for a final decision	None
7	Monitor in the future and publication of results of such monitoring		

	Key questions	Answers / Notes	Actions required
7.1	What have we found out in completing this EqIA? What can we learn for the future?	Affordability is the key consideration moving forward.	None
7.2	Who will carry out monitoring?	Shared Waste Service	
7.3	What needs to be monitored?	Uptake and feedback from customers	
7.4	What method(s) of monitoring?	Review of customer complaints and queries.	
7.5	How will the monitoring information be published?	Service performance is published through covalent and quarterly report to the Executive. Members will need to recommend whether a performance indicator specifically for green waste should be introduced.	
8	Publication of results of the impact assessment		

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